

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GIUMARRA BROS. FRUIT CO., INC.,
et al.,

Case No.: 2:18-cv-00395-APG-NJK

Plaintiff(s),

Order

V.

(Docket No. 34)

PARADISE PRODUCE LLC, et al.,

Defendant(s).

16 Pending before the Court is Plaintiffs' motion to extend the deadline to file a joint proposed
17 discovery plan and scheduling order. Docket No. 34. Plaintiffs submit that Defendants consent
18 to the instant motion. *Id.* at 3.

19 Plaintiffs ask the Court to extend the deadline to file a joint proposed discovery plan from
20 August 4, 2018, to September 5, 2018. *Id.* at 1-2. Plaintiffs submit that Defendant Paradise
21 Produce LLC (“Paradise Produce”) filed a petition for bankruptcy on June 25, 2018. *Id.* at 2.
22 Plaintiffs further submit that an extension is warranted because Defendant Paradise Produce’s
23 bankruptcy trustee requires additional time to decide “whether to retain separate counsel or have
24 [Defendant] Paradise Produce’s current counsel continue with litigating Paradise Produce’s
25 counterclaim.” *Id.* at 3.

26 On July 5, 2018, Defendant Paradise Produce filed a notice of bankruptcy. Docket No. 32.
27 In that notice, Defendant Paradise Produce submits that its filing imposed an automatic stay. *Id.*
28 at 2. Accordingly, the Court hereby **STAYS** this case as to Defendant Paradise Produce ONLY,

1 pending either the lifting of the stay or resolution of its bankruptcy proceeding. Defendant Paradise
2 Produce shall file a status report in the instant case, regarding its bankruptcy case and the stay,
3 every 30 days, beginning September 6, 2018. The Court **DENIES** Plaintiffs' motion at Docket
4 No. 34 and **ORDERS** all other parties to file a joint proposed discovery plan and scheduling order,
5 no later than August 13, 2018.

6 IT IS SO ORDERED.

7 Dated: August 6, 2018

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9 NANCY J. KOPPE
United States Magistrate Judge

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